FILED
JUL 19 2000
CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MICHAEL JACKSON, Plaintiff-Appellant v. ARTHUR CALDERON, Warden, Defendant-Appellee.	No. 97-99032 DC No. CV-91-04249-R ORDER

Before: CANBY, O'SCANNLAIN and THOMAS, Circuit Judges

The panel, as constituted above, has unanimously voted to deny the appellant's petition for panel rehearing. Judges O'Scannlain and Thomas have voted to deny the appellant's petition for rehearing en banc, and Judge Canby has so recommended.

A majority of the panel, as constituted above, has voted to deny the appellee's petition for panel rehearing. Judge O'Scannlain would grant the appellee's petition for rehearing. Judges Canby and Thomas have voted to deny

appellee's petition for rehearing. Judges O'Scannlain and Thomas have voted to deny the appellee's petition for rehearing en banc, and Judge Canby has so recommended.

The petitions for en banc rehearing have been circulated to the full court, and no judge of the court has requested a vote on either of the petitions for rehearing en banc. Fed. R. App.P.35(b).

The petitions for panel rehearing and the petitions for rehearing en banc are denied.